

FILED

2017 FEB 28 PM 3:36

Blair Hanloh  
9371 Vernon Ave.  
Montclair, Calif. 91763  
Telephone (714) 235-4800  
Facsimile: (323) 214-8080

Petitioner in Pro Per

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

BLAIR CHRISTOPHER HANLOH,

Petitioner,

v.

PEOPLE OF THE STATE OF CALIFORNIA,

Respondent.

Case No. SACV 17-00113-JLS (DFM)

**RESPONSE TO  
ORDER TO SHOW CAUSE, NOTICE  
OF OBJECTION TO DISMISAL, AND  
MOTION TO COMPEL**

BLAIR CHRISTOPHER HANLOH,

Petitioner,

v.

PEOPLE OF THE STATE OF CALIFORNIA,

Respondent.

Case No. SACV 17-00114-JLS (DFM)

BLAIR CHRISTOPHER HANLOH,

Plaintiff,

v.

PEOPLE OF THE STATE OF CALIFORNIA,

Respondent.

Case No. SACV 17-00116-JLS (DFM)

1 TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE CENTRAL  
2 DISTRICT OF CALIFORNIA AND THE HONORABLE JUDGES THEREOF:

3 PLEASE TAKE NOTICE that Petitioner BLAIR CHRISTOPHER HANLOH  
4 (“Petitioner”) hereby objects to the Magistrate Judge’s conclusions and objects to any dismissal  
5 or denial of any right.

6 Petitioner BLAIR CHRISTOPHER HANLOH reserves all rights – ALL RIGHTS  
7 RESERVED WITHOUT PREJUDICE.

8 BLAIR CHRISTOPHER HANLOH is entitled and the United States District Court,  
9 Central District of California is empowered whenever a federal constitutional claim exists, when  
10 extraordinary circumstances exist, and where the danger of irreparable harm is both great and  
11 immediate. A Constitutional and Civil Rights violation exists, and has existed, as follows:

- 12 1. Is it a violation of my Constitutional and Civil Rights for the state to prosecute me  
13 without jurisdiction?
- 14 2. Is it a violation of my Constitutional and Civil Rights for the state to prosecute me under  
15 a colorable jurisdiction known as the “code” when the same “code” gave me rights that the state  
16 ignored?

17 **I**

18 **BACKGROUND**

19 Petitioner BLAIR CHRISTOPHER HANLOH’s Constitutional and Civil Rights question  
20 to this honorable court has involved jurisdiction of the state court in this instant. Namely, can any  
21 state court proceed without having jurisdiction? The simple answer is no. Thus, the simple  
22 answer to the above two questions is yes regarding the violations of both my Constitutional and  
23 Civil Rights. Additionally, when a judgment is obtained through fraud, deceit, and without  
24 jurisdiction by a state court, does that judgment stand? The simple answer is no. Then, is it the  
25 duty of the Federal Court to protect the Petitioner from the state? The simple answer is yes.

26 Petitioner filed two previous petitions with this court - Case No. SACV 15-1540-JLS  
27 (DFM) and Case No. SACV 15-01681-JLS (DFM) asking the same Constitutional, Civil Rights,  
28 and jurisdictional questions, albeit not perfectly framed, and filed an objection to their dismissal

1 by this court. Petitioner is under the belief that because they were dismissed without prejudice  
2 that this allows the Petitioner to re-file his petition.

## 3 II

### 4 DISCUSSION

5 **Jurisdiction** - Petitioner BLAIR CHRISTOPHER HANLOH requests this honorable  
6 court to hear his case because the United States District Court, Central District of California is  
7 empowered whenever a federal constitutional claim exists, when extraordinary circumstances  
8 exist, and where the danger of irreparable harm is both great and immediate. Additionally, the  
9 Petitioner attempted to amend SACV 15-1540-JLS (DFM) and SACV 15-01681-JLS (DFM),  
10 filed while the Petitioner was in custody, and was told by the Clerk to file the new petitions that  
11 are before this court. Petitioner BLAIR CHRISTOPHER HANLOH has reserved all his rights –  
12 ALL RIGHTS RESERVED WITHOUT PREJUDICE. No right shall be denied to the Petitioner  
13 by this honorable court.

14 **Frivolousness** – This federal court, while correct that the UCC is not Law, completely  
15 ignores what the Code of Federal Regulations at 27 CFR states...all crimes are commercial –

16 CFR Title 27, Chapter 1, Subchapter F, Part 72, Subpart B, Section 72.11 -  
17 § 72.11 Meaning of terms.

18 MEANING OF TERMS: As used in this part, unless the context otherwise requires, terms shall  
19 have the meanings ascribed in this section. Words in the plural form shall include the singular,  
20 and vice versa, and words importing the masculine gender shall include the feminine. The terms  
21 "includes" and "including" do not exclude things not enumerated which are in the same general  
22 class.

23 COMMERCIAL CRIMES: Any of the following types of crimes (FEDERAL OR STATE):  
24 Offenses against the revenue laws; burglary; counterfeiting; forgery; kidnapping; larceny;  
25 robbery; illegal sale or possession of deadly weapons; prostitution (including soliciting,  
26 procuring, pandering, white slaving, keeping house of ill fame, and like offenses); extortion;  
27 swindling and confidence games; and attempting to commit, conspiring to commit, or  
28

1 compounding any of the foregoing crimes. Addiction to narcotic drugs and use of marijuana will  
2 be treated as if such were commercial crime."

3 Petitioner BLAIR CHRISTOPHER HANLOH was criminally prosecuted by the state of  
4 California for a commercial crime and this fact was affirmed in his California Court of Appeal,  
5 Fourth District, Division Three Case G052517 decision where it stated that the Defendant was  
6 technically correct under the narrow meaning of the Law, but under a broader intent of the  
7 statute he violated the code (a commercial crime) and the conviction was upheld (for a  
8 commercial crime). Thus, the state of California criminally prosecuted Petitioner BLAIR  
9 CHRISTOPHER HANLOH for a commercial crime.

10 The Magistrate Judges contention that Petitioners claim is flawed and frivolous is  
11 incorrect and furthermore the case quoted by this court (Brzezinski v. Smith) states that the UCC  
12 speaks only to commercial law (Petitioner agrees) and Petitioner gives as judicial notice that the  
13 Petitioner has never alleged that the UCC was the basis for bringing the Habeas Corpus action.

14 The basis for the action before this court is that a violation of my Constitutional and Civil  
15 Rights has occurred and this court is the proper forum to enforce my rights and protect me from  
16 further harm by the state of California. This harm continues because the Petitioner is on  
17 probation.

### 18 III

### 19 ARGUMENT

20 Petitioner BLAIR CHRISTOPHER HANLOH has reserved all his rights – ALL RIGHTS  
21 RESERVED WITHOUT PREJUDICE and additionally he has made this explicit valid  
22 reservation of rights upon his California Driver's License #N9843840. This reservation of rights  
23 is made with the only "KNOWN" contract that exists with the state of California. This contract  
24 was identified in the criminal proceedings as Blair Christopher Hanloh N9843840.

25 The Petitioner making a valid reservation of rights is not compelled to perform under any  
26 contract or commercial agreement that the Petitioner did not enter knowingly, voluntarily, and  
27 intentionally and the Petitioner reserves the right to not accept the liability of any compelled  
28 benefit, or any unrevealed contract or commercial agreement.

1 The Petitioner's reservation of rights compels all courts, and this included this Federal  
 2 Court, to construe any and all statutes in harmony with the Common Law – There must exist a  
 3 damaged party for any court to have jurisdiction over the Petitioner.

4 Additionally, the Petitioner does not understand and this honorable federal court does not  
 5 stand under a state superior court or District Attorney operating outside the Law.

6 The Petitioner's valid reservation of rights is stated and recorded prior to his arrest and  
 7 detention upon his California Driver's License #N9843840 in connection with his signature as  
 8 follows: WITHOUT PREJUDICE UCC 1-308 and ALL RIGHTS RESERVED WITHOUT  
 9 PREJUDICE UCC 1-308.

10 Petitioner BLAIR CHRISTOPHER HANLOH has exercised his remedy and recourse by  
 11 the making of a valid reservation of rights (UCC 1-308). "The code is complimentary to the  
 12 common law, which remains in force, except where displaced by the code. A statute should be  
 13 construed in harmony with the common law, unless there is a clear legislative intent to abrogate  
 14 the common law" (UCC 1-103.6).

15 The state court never had jurisdiction over the Petitioner –

- 16 • No jurisdiction exists over the Petitioner under Common Law jurisdiction
- 17 • No jurisdiction exists over the Petitioner under Admiralty/Maritime jurisdiction
- 18 • No jurisdiction exists over the Petitioner under any Colorable or Statutory
- 19 jurisdiction UNLESS an injured party exists/existed.

20 Thus, the state of California never had jurisdiction over the Petitioner, thereby denied, trampled  
 21 upon, and harmed greatly the Petitioner and his Constitutional Rights and Civil Rights.

### 22 **III**

### 23 **MOTION TO COMPEL**

24 Petitioner BLAIR CHRISTOPHER HANLOH moves this court to compel the People of  
 25 the State of California, having failed to have an injured party, to produce the contract or  
 26 commercial agreement that would give them jurisdiction over him at the time of his arrest or  
 27 prosecution.

1 And if the People are unable to show jurisdiction in any case against the Petitioner and  
2 Plaintiff, and it is my right to challenge jurisdiction at any time, this court shall compel the  
3 People to state that the judgments against the Petitioner and Plaintiff Blair Christopher Hanloh  
4 were void from the beginning.

5 V

6 PRAYER

7 WHEREFORE, BLAIR CHRISTOPHER HANLOH hereby moves the United States  
8 District Court, Central District of California to void all judgements associated with Petitioner and  
9 Plaintiff Blair Christopher Hanloh due to the People of the State of California never having  
10 jurisdiction.

11  
12 DATED: February 27, 2017

13 By: 

14 Blair Christopher Hanloh

15 ALL RIGHTS RESERVED WITHOUT PREJUDICE  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28